

RECORD OF PROCEEDINGS

Minutes of the Riverside City Council Meeting

Held on Thursday, November 3, 2022

Riverside, OH

CALL TO ORDER: Mayor Williams called the Riverside, Ohio City Council Meeting to order at 6:00 p.m. at the Riverside Administrative Offices located at 5200 Springfield Street, Suite 100, Riverside, Ohio, 45431.

ROLL CALL: Council attendance was as follows: Mr. Denning, present; Mrs. Franklin, present; Ms. Fry, present; Mr. Joseph, present; Ms. Lommatzsch, present; Mr. Maxfield, present; and Mayor Williams, present.

Staff present was as follows: Josh Rauch, City Manager; Tom Garrett, Finance Director; Frank Robinson, Police Chief; Dan Stitzel, Fire Chief; Nia Holt, Zoning Administrator; Dalma Grandjean, Law Director; and Katie Lewallen, Clerk of Council.

EXCUSE ABSENT MEMBERS: No council members were absent.

ADDITIONS OR CORRECTIONS TO AGENDA: No changes were made to the agenda.

APPROVAL OF AGENDA: Deputy Mayor Denning moved, seconded by Mr. Maxfield, to approve the agenda. All were in favor. **Motion carried.**

PLEDGE OF ALLEGIANCE: Mayor Williams led the pledge of allegiance.

PROCLAMATION: Mayor Williams read a proclamation recognizing National Veteran Owned Small Business Week.

MINUTES: Deputy Mayor Denning moved, seconded by Ms. Lommatzsch, to approve the minutes of the September 15, 2022, council business meeting, and the September 22, 2022, work session. All were in favor. **Motion carried.**

LIQUOR CONTROL: Mr. Rauch stated there were not issues with the two liquor license transfers: 1) Transfer from Pla Mor to DYBO, 4901 Linden Avenue, and 2) Las Margaritas Mexican Bar & Grill LLC to Medina Rodrigues Family LLC DBA Las Margaritas Mexican Bar & Grill, 5526 Airway Road. Council did not request a hearing for either transfer.

BOARDS AND COMMISSIONS: Deputy Mayor Denning moved, seconded by Mrs. Franklin, to send a letter of reappointment to Francesca Hary to the Personnel Appeals Board. All were in favor. **Motion carried.**

WRITTEN CITIZEN PETITIONS: Mayor Williams stated any citizen wishing to speak should fill out a petition found at the back of the room and turn it in to the clerk.

DEPARTMENT UPDATES:

A) Police Department – Chief Robinson stated that Major Angie Jackson was accepted to the Public Leadership Academy Command School in Columbus and will begin in March. He stated the police department got involved with Halloween by handing out candy for trick-or-treat, and they will be involved with the upcoming Hometown Holiday. He stated they

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are having issues with their Motorola training as it has been put on hold. He needs to have a meeting with the city manager regarding their future plans as it seems they are moving backwards and not forward with Motorola. Mr. Rauch stated it is not just Riverside specific; it involves anyone using dispatch through Huber Heights. Chief Robinson stated it is two parts. The first is the CAD, which is the dispatch center, and that is working fine. The other part is the RMS, the reporting system, Motorola is underachieving at this point; and they are not happy with it. He stated they may have to change going into next year and determine what they will keep. He stated the Grand Theft Auto Task Force in Montgomery County is making headway on some stolen vehicles. Major Jackson and K-9 Tina have gone out with the task force and ended up getting two from Riverside. In the last two weeks, the task force has gotten 17 cars in Montgomery County. They have found several weapons and a lot of drugs in these cars. This is making a difference finding stolen vehicles. He is thankful for Montgomery County for putting that together. Ms. Lommatzsch asked if the drugs and weapons are from the owners of the vehicles or the people who stole them. Chief Robinson stated it was from the people who stole them.

B) Fire Department – Chief Stitzel stated they are going through year-end maintenance and identify anything that needs repaired. They had already rebuilt the pump for one of the fire engines and have found that the other fire engine now needs to have its pump rebuilt. This will be a \$10,000 - \$12,000 repair. One of the medics was towed to the garage and it is at Main's in Springfield getting a cross-member on the rail frame; they will be getting that back quicker than expected. He stated that the medic that was totaled a year ago is now here. The radios are installed, but they found a few things that Horton missed so it will go back to Columbus and will only be gone a couple of days. He stated that they did get all of their hose testing and auto-extrication completed last month. They are starting fall hydrant inspections where crews drive around to inspect all the hydrants this month. Part-time firefighter Bradley Carter has been moved to full-time to fill the one vacancy. He added they participated in the fire prevention event, trick-or-treating, STEM night at Stebbins, and were very interactive last month. They received a lot of positive comments. They are looking forward to dropping Santa Claus off for the Hometown Holiday. He added they are going to do the Christmas engine tour as they did last year and decking the engine in lights. They will make the route go throughout the city. They are still working through the process with the CAD software and getting mobile computers up and running with the image trend to work with that. There is a new CAD integration they have been spending a lot of time on this last week to make sure they can speak the different languages and come out to what they need it to say to their RMS. Deputy Mayor Denning asked if the pump was on the newer engine or if it was under warranty. Chief Stitzel stated he tried, but it wasn't. The last one they took apart and the company told them it was cavitation damage, which is not covered by warranty. This other pump has the same problem. Discussion was held on potential engineering problem with the design. Chief Stitzel stated they should not be replacing two pumps on six-year-old apparatus, especially for the reason the company is saying. They are not buying it.

C) Public Service Department – Mr. Rauch stated that an informational flyer will go out to residents in the vicinity of the Woodman Phase I Project between SR 35 to Eastman. Part of the process is for the city to try and line up grant monies to help pay their portion. One requirement for the federal grant is to let residents know of the project and ask what

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kind of amenities they would like to see connected to the project and share what is being contemplated at a high level along with providing contact information. He stated that the Lynnhaven-Meyer Project is coming along nicely and most of the asphalt work is complete or close to complete. The Burkhardt intersection is near completion with all the mast arms up. The pedestrian signals and rest of the traffic signals should be up by tomorrow. On the Harshman Wall Project, they are working in the middle of the wall with a few forms up and two to three different places and will pour tomorrow into next week. Mr. Joseph asked if he had an idea on the Kroger completion date. Mr. Rauch stated they are still targeting first quarter. There were some delays with roof clips, but that is now done and the large construction fence is down. The idea is to be inside the building by January to work on the interior. Ms. Lommatzsch stated she understands the gas station will open December 1. Mr. Rauch stated they can open earlier because it is a small box where the attendant sits and they have all their required permits. They will be getting inspections from the state this month.

D) City Manager Report – Mr. Rauch stated they continue to be on target with income tax. He is still working on the draft budget document. He is looking to have a draft to the budget committee tomorrow. He stated that at the work session next week they will hear from Choice One with an update on crosswalk design standards. They will present their findings and suggestions on what a crosswalk design standard looks like. He will update them on storm water and the plans for that. They will also discuss a couple of items connected to the budget like a lease agreement with Enterprise, and a health insurance update. The city was accepted into the OBC, which is an advantage to the organization and to the employees. Mr. Joseph asked when they would discuss aggregation should they pass next Tuesday. Mr. Rauch stated should they pass, they will then put a plan together on how to implement and develop a program. They will flesh that out and come back to implement the process. If the residents decide they want it; then they will prioritize developing it.

PUBLIC COMMENT ON AGENDA ITEMS: Mayor Williams stated that one form had been turned in. He invited Mr. Dwight Williams to come forward and state his name, address, and keep his comments to three minutes.

Mr. Dwight Williams, 200 Monk St. SW, Pataskala, Ohio, stated he is here to vouch for Miami Valley Metal for the rezoning of a cache lot to the property where he is trying to expand the business. It is a small business owned by one person trying to bring up the community. They deal with the community everyday as they have people coming in everyday to recycle items. They also work with businesses that come with recyclable items like cans and metals. They take in metals from other junk yards. The business itself has existed for 30 years and the lot associated with it; they need the lot so they can expand the business and make it more customer friendly and better traffic flow. The way it was before, over a year and a half ago, it was muddy and junky. They have cleaned it up, painted the building, and put new pavement down. They want it to be a community friendly junk yard. They have added on computer recycling. They want to branch out to paper recycling. They will actually pay people to do their recycling. They just need the lot that is associated and attached to the present property. He is aware that it needs different zoning. He added they spoke to the neighbors across from them and next to them and they stated they have no

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problem with what they are doing as they have improved the place. He stated they are trying to get things more customer friendly and for the community.

NEW BUSINESS

A. ORDINANCES

- I) **Ordinance No. 22-O-810 – An ordinance approving a change in the district boundaries as shown on the zoning map of the City of Riverside, Ohio for the property located at 2449 Valley Pike, Parcel ID No. I39 00714 0007 from B-2 General Business District to I-1 Light Industrial District. (1st reading)**

Deputy Mayor Denning moved, seconded by Mr. Joseph, to approve the first reading of Ordinance No. 22-O-810. The clerk read the ordinance by title only.

Mr. Joseph asked for a read out on the city's stance and a little more detail. Mr. Rauch began by thanking Mr. Williams for the work he has put into the property and recognizes and appreciates the work small businesses do. They need to balance the zoning considerations against larger planning initiatives they have undertaken as a community. They also have recently spent a lot of money and time updating the comprehensive land use plan. Even the existing plan does not contemplate industrial uses along this corridor, so they have to look at what is there now and how it fits into their future. He explained that this site is non-conforming and the rezoning impacts only one parcel. That would be permanent, and should a new business come in in the future they could then develop as industrial on that parcel with the city having limited opportunity to weigh in on the direction of development of that corridor. Ms. Holt explained that one of the concerns of the planning commission was that this parcel would be spot zoned as it would not apply to all of the lots. It is also in a source water protection area, and it would be allowing an industrial use in one of the more sensitive areas above the wellfield.

Mrs. Franklin asked why the business would need to change the one parcel to industrial. Ms. Holt stated that is what the applicant chose to do to expand that one. Her understanding is that it is to expand to allow parking on the inside; however, how it is in the code, the non-conforming use cannot be expanded. The existing footprint they have is what has to be used. The parcel they own is currently vacant. Mrs. Franklin stated that they cannot do anything with the parcel. Ms. Holt replied no. They are non-conforming with an industrial use on a business lot as it is a B-2. Mayor Williams added that a non-conforming cannot be expanded; it can be maintained, but not expanded.

Mr. Joseph stated the ideal situation would be to try and get all six parcels to be rezoned to I-1. Mr. Rauch stated that is one option, but he thinks that would not be supported by staff as the Land Use Plan does not accommodate industrial uses along the corridor. Mr. Joseph stated they have been operating in this environment for 30 years. The case is more of a technicality as he wants to put in a parking lot, but to do so has to rezone that one parcel of land to conform with the use that he's using the entire other five parcels of land. Ms. Holt

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stated she spoke with Mr. Williams shortly after he bought the property about the non-conforming use. He did some research and had the city look in their files as well, so he had full information. She added they are allowed to operate in what they have, but the expansion would not be allowed. Mr. Joseph reviewed what the comprehensive plan recommends having there. Discussion was held on the planning commission's concerns.

Roll call went as follows: Mr. Denning, no; Mr. Joseph, yes; Mrs. Franklin, no; Ms. Fry, no; Ms. Lommatzsch, no; Mr. Maxfield, no; and Mayor Williams, no. **Motion failed.**

B. RESOLUTIONS

- I) Resolution No. 22-R-2799 - A resolution authorizing the city manager to enter into a renewal agreement with Colliers International for professional services as the commercial leasing agent for the Wright Point Office Park, 5100 and 5200 Springfield Street, Riverside, Ohio.**

Mr. Rauch stated this renews the lease agreement with Colliers for the Wright Point Office Park.

Deputy Mayor Denning moved, seconded by Mr. Maxfield, to approve Resolution No. 22-R-2799.

All were in favor. **Motion carried.**

- II) Resolution No. 22-R-2800 – A resolution recognizing the Mad River Lions Club's "Project Share" as a function that promotes the public health, general welfare, and contentment of the citizens of the City of Riverside.**

Mayor Williams stated this is a resolution for a donation to the Mad River Lions Club's Project Share that is vital to the contentment and welfare of citizens in the amount of \$250.

Ms. Lommatzsch moved, seconded by Mrs. Franklin, to approve Resolution No. 22-R-2800.

All were in favor. **Motion carried.**

- III) Resolution No. 22-R-2801 – A resolution authorizing the city manager to enter into preliminary consent legislation with the Ohio Department of Transportation to remove and replace various guardrails in the City of Riverside.**

Mr. Rauch stated this allows ODOT to come and replace guard rails at their expense.

Mr. Joseph moved, seconded by Mrs. Franklin, to approve Resolution No. 22-R-2801.

All were in favor. **Motion carried.**

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IV) Resolution No. 22-R-2802 – A resolution authorizing the city manager to enter into preliminary participatory legislation for resurfacing of Spinning Road from Linden Avenue to 75' south of Eastman Avenue in the City of Riverside.

Mr. Rauch stated this commits the city to their local share for the resurfacing of the Spinning Road Project from Linden to Eastman and is required by ODOT.

Ms. Lommatzsch moved, seconded by Mr. Maxfield, to approve Resolution No. 22-R-2802.

All were in favor. **Motion carried.**

V) Resolution No. 22-R-2803 – A final resolution with ODOT for the reconfiguring of US 35/Woodman Drive interchange, including the rehabilitation of Bridge No. MOT-835-0002 and Bridge No. MOT-74-0065, full depth pavement, widening, resurfacing, curb, curb and gutter, sidewalk, curb ramps, a shared use path, guardrail, concrete barrier, fence, drainage, lighting, signage, pavement markings, and traffic signals, lying within the City of Riverside.

Mr. Rauch stated this commits the city to their local share for the US 35/Woodman Bridge, which is anticipated to go out to bid next month.

Ms. Lommatzsch moved, seconded by Deputy Mayor Denning, to approve Resolution No. 22-R-2803.

All were in favor. **Motion carried.**

VI) Resolution No. 22-R-2804 – A resolution declaring the official intent and reasonable expectation of the City of Riverside on behalf of the State of Ohio (The Borrower) to reimburse its OPWC Valley Pike Fund for the CD16Y/CD17Y, Valley Pike Resurfacing with the proceeds of tax exempt debt of the State of Ohio.

Mr. Rauch stated that for this resolution and the next one, OPWC is requiring council to approve the reimbursement requests that are normally processed through them. This gives them the resolution to attach to the paperwork requesting to be repaid the money spent on those projects.

Mr. Joseph moved, seconded by Deputy Mayor Denning, to approve Resolution No. 22-R-2804.

All were in favor. **Motion carried.**

VII) Resolution No. 22-R-2805 – A resolution declaring the official intent and reasonable expectation of the City of Riverside on behalf of the State of Ohio

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(The Borrower) to reimburse its OPWC Needmore Road Fund for the CD18Y/CD19Y, Needmore Road Resurfacing with the proceeds of tax exempt debt of the State of Ohio.

Mr. Maxfield moved, seconded by Deputy Mayor Denning, to approve Resolution No. 22-R-2805.

All were in favor. **Motion carried.**

VIII) Resolution No. 22-R-2806 – A resolution recognizing the Riverside Area Chamber of Commerce’s “Hometown Holiday in Riverside, Ohio” as a function that promotes the public health, general welfare, and contentment of the citizens of the City of Riverside.

Mr. Rauch stated this is a \$250 donation for the Hometown Holiday.

Ms. Lommatzsch moved, seconded by Mrs. Franklin, to approve Resolution No. 22-R-2806.

All were in favor. **Motion carried.**

IX) Resolution No. 22-R-2807 – A resolution authorizing the city manager to enter into a managed IT services agreement with Tech Advisors for the ongoing maintenance of the City IT Infrastructure.

Mr. Rauch stated this resolution authorizes them to enter into an agreement with Tech Advisors to do IT work for Riverside.

Mr. Joseph moved, seconded by Mr. Maxfield, to approve Resolution No. 22-R-2807.

All were in favor. **Motion carried.**

X) Resolution No. 22-R-2808 – A resolution authorizing the finance director to adjust city fund balances pursuant to audit finding recommendations.

Mr. Rauch stated that pursuant to their audit, there is a difference of about \$7,600 between the bank balance and what is shown in the finance system. The auditor has indicated this has existed for some time and recommends writing it off. This will readjust the book balance to match the bank balance and start afresh.

Deputy Mayor Denning moved, seconded by Mr. Joseph, to approve Resolution No. 22-R-2808.

All were in favor. **Motion carried.**

PUBLIC COMMENT ON NON-AGENDA ITEMS: No one came forward to speak.

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COUNCIL MEMBER COMMENTS: Mr. Maxfield thanked police and fire for everything they did in the past month as there were a lot of activities in the community.

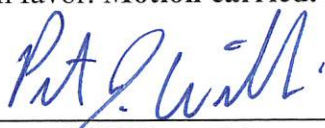
Mr. Joseph congratulated Mr. Denning on the Jaycee's Haunted House and a job well done. He mentioned Issues 10, 20, and 21 that are on the ballot. He stated that Issue 10 is the Sinclair issue and that many people reap the benefits of what comes out of the property tax dollars. It will not raise taxes. On Issues 20 and 21, those are for energy aggregation. This is a good way for the city to do collective bargaining and try and get a lower rate for the citizens. He stated that he has heard democracy is being attacked, and the best way to combat that is by going out and voting. It is an important civic duty. He encouraged everyone to get out and vote.

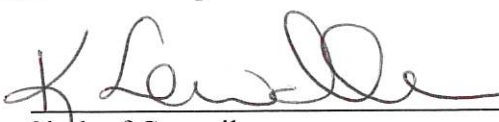
Mayor Williams congratulated the clerk who was installed as the secretary of the MVMAA and has been serving in the role for several months now. He congratulated Mr. Joseph on his recent wedding as well as the law director, Dalma Grandjean, on her recent marriage. He thanked police and fire for the phenomenal job during trick-or-treat and on being great ambassadors of the city to the children. He added that it is important to get out and vote as it is often taken for granted the ability to express opinion through actual means of change.

Ms. Lommatzsch stated the MVMAA, an organization she has been a part of for 20 years, does a lot of things under the radar that people aren't aware of and is delighted the clerk is on board with the organization. The city and chamber have supported their main money raiser, the Bob Chiles Golf Tournament, every year in May. It is an opportunity to raise money to support airman and lower ranking and their families with activities and taking care of them. She stated that voting is very important and echoed the previous comments. She has heard a lot of good feedback from citizens on the community involvement of police and fire. She also spoke with MVRPC about the noise from US 35 that Mr. Nieberding spoke to council about recently. She has listened to the sound for so long that she just didn't hear it. Several things have come in to play because it is now six lanes, speed is an issue, and the number of trucks on the highway has mushroomed. The braking has become much louder. There may be some efforts they can take to get help to put up a sound barrier from Woodman to I-675 on the north side. MVRPC can step in and help them to find money.

Deputy Mayor Denning thanked staff for all they do; they are appreciated. He encouraged people to go out and vote. They have done their part to check on aggregating electric and gas, now they need to vote if they want the city to negotiate prices for gas and electric. The citizens give them the authority to do that.

ADJOURNMENT: Ms. Lommatzsch moved, seconded by Mr. Joseph, to adjourn. All were in favor. **Motion carried.** The meeting adjourned at 6:50 pm.


Peter J. Williams, Mayor


Clerk of Council